IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 18879 of 2004

Between:

1 Y.V. Seela Reddy, S/o. Nagi Reddy, aged 41 years, Record Assistant, Vivekananda Gurukula Vidyalaya High School, Mahanandi,

Kurnool District.
2 Y. Venkat Reddy, S/o. Venkat Reddy, aged 62 years, Correspondent, Vivekananda Gurukula Vidyalaya High School, Mahanandi,

Kurnool District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, Rep by its Principle Secretary, Education Department, Secretariat, Hyderabad.
2 The Government of Andhra Pradesh, Rep by its Principal Secretary, Finance & Planning Department, Secretariat, Hyderabad.
3 The Commissioner & Director of School Education, Government of

Andhra Pradesh, Hyderabad.
4 The District Educational Officer, Kurnool District, Kurnool.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents in not admitting the posts of 2nd petitioner School into Grant-in-Aid i.e. total 9 posts viz. B.Ed (Maths), B.Ed. (Social), Head Master, B.Ed., (Scince), Hindi Pandit Grade-I Craft or Drawing, 2 SGBTs and Record Assistant as per the recommendations of the High Level Committee vide Rc. NO. 1452/D2-1/94 dated 28-10-2004 on par with other vide Rc.No. 1452/D2-1/94 dated 28-10-1994 on par with other similarly situated persons

who are working in the 2nd petitioner School and whose posts were admitted into Grant-in-Aid as illegal, arbitrary, discriminatory and violative of Articles 14, 16 of the constitution of India and consequently direct the respondents tio release entire arrears of salaries attached to the posts of the 2nd petitioner school including all consequential benefits from the year 1994.

Counsel for the Petitioners: MR.S.GIRIMOJI RAO

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following:

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ORDER:

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The 1st petitioner is working as a Record Assistant in the 2nd Petitioner School in an unaided post. The 1st petitioner contends that the 3rd respondent made recommendations for admission of certain private secondary schools for grant-in-aid to the 1st respondent, through the letter dated 28.10.1994. The 4th respondent also furnished certain information to the

3rd respondent relating to the 2nd petitioner school on 11.06.1994. The grievance of the petitioners is that the

1st respondent did not take any decision on the recommendations made by the high level committee, thereby the 2nd petitioner could not get grant-in-aid and the

1st petitioner could not get himself absorbed into an aided post.

2. The question of considering the candidature of the

1st petitioner arises only after sanction of the grant-in-aid post. So far as the 2nd petitioner is concerned, the 1st respondent ought to have taken decision on the recommendations of the high level committee. The 1st respondent is, therefore, directed to pass appropriate orders on the recommendations of the high level committee, dated 28.10.1994 at an early date, regarding the admission of the 2nd petitioner school for grant-in-aid.

3. The Writ Petition is, accordingly, disposed of. No order as to costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Principal Secretary, Education Department,

Government of Andhra Pradesh, Secretariat, Hyderabad

2. The Principal Secretary,

Finance & Planning Department, Secretariat,

Government of Andhra Pradesh, Hyderabad

3. The Commissioner & Director of School Education,

Government of Andhra Pradesh, Hyderabad

4. The District Educational Officer,

Kurnool District, Kurnool

5. Two CCs to the Government Pleader for Education,

High Court Buildings, Hyderabad (OUT)

6. Two CD copies.